IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 4684 of 2007(G)

PETITIONER:

T.K. SKARIAH, S/O.THOMAS KURIAKOSE, THENGELIMANNIL HOUSE, VALLAMKULAM EAST P.O., THIRUVALLA (MECHANIC SPECIAL GRADE), DISTRICT TRANSPORT OFFICE, KERALA STATE TRANSPORT CORPORATION, THIRUVALLA.)

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:

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1. THE KERALA STATE ROAD TRANSPORT CORPORATION, OFFICE OF THE KERALA STATE ROAD TRANSPORT CORPORATION, THIRUVANANTHAPURAM REPRESENTED BY ITS CHAIRMAN & MANAGING DIRECTOR.

2. THE CHAIRMAN & MANAGING DIRECTOR, OFFICE OF THE CHAIRMAN & MANAGING DIRECTOR, THE KERALA STATE ROAD TRANSPORT CORPORATION THIRUVANANTHAPURAM.

3. THE DISTRICT TRANSPORT OFFICER, OFFICE OF THE DISTRICT TRANSPORT OFFICER, THIRUVALLA.

4. P.I. VARGHESE, MECHANIC (SPECIAL GRADE) DT OFFICE, KOTTARAKARA.

R1 TO R3 BY ADV. SRI.K. PRABHAKARAN, SC, K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 4684 OF 2007

Dated this the 1st day of March, 2007

JUDGMENT

Heard Sri. Subhash Chand, learned counsel for the petitioner and Sri.K. Prabhakaran, Standing Counsel.

2. The grievance of the petitioner is that the K.S.R.T.C is not prepared to take into account the entire duration of his service and seniority including the period of leave without allowance availed by him for taking up employment abroad. I find force in the submission of Sri.Subhash Chand that the issue is squarely covered by several judgments of this Court including my own judgment-Ext.P4 and Ext.P5 judgment of the Division Bench. I do not find any reason as to why the reliefs sought for by the petitioner in Ext.P6 representation should not be granted by the respondents.

Under these circumstances, this Writ Petition will stand disposed of directing the respondents to take up Ext.P6 immediately, consider the same in the light of the principles laid down in Exts.P4 and P5 judgments and take a decision on Ext.P6 at the earliest and at any rate within one month of receiving copy of this judgment. Once decision is taken, petitioner will be informed of the same. It is needless to remind the respondents that once the claim of the petitioner is upheld, he will

have to be granted regular promotion from the post of Mechanic(Special Grade) to the post of Charge-man.

PIUS C. KURIAKOSE, JUDGE

btt